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February 5, 2002

Mr. William F. Caton, Acting Secretary  
Federal Communications Commission  
445 12th Street SW  
Washington DC 20554

**Re: ET Docket No. 98-153 -- Revision of Part 15 of the Commission's Rules Regarding  
Ultra-Wideband Transmission Systems  
*Ex Parte Communication***

Dear Ms. Salas:

Pursuant to Section 1.1206(a)(2) of the Commission's Rules, on behalf of XtremeSpectrum, Inc., I am filing this letter electronically to report oral ex parte communications in the above-referenced proceeding.<sup>1</sup>

Yesterday, Martin Rofheart of XtremeSpectrum, Inc., Michele Farquhar, Esq., of Hogan & Hartson, L.L.P., Veronica Haggart, Esq., and I met with Commissioner Abernathy and Jason C. Scism of her staff and, separately, with Bryan Tramont of her staff.

We reiterated positions XtremeSpectrum has previously stated in this proceeding, with emphasis on the following:

- ***XtremeSpectrum's proposal protects all federal systems, using NTIA's own interference criteria and worst-case scenarios.*** XtremeSpectrum has shown conclusively that XtremeSpectrum's emissions mask fully protects all federal systems. XtremeSpectrum adopted NTIA's own methodology and criteria for this showing, as set out in NTIA Special Publication 01-43. In analyzing interference into certain radar systems from UWB devices located in or on buildings,

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<sup>1</sup> XtremeSpectrum, with 67 employees, conducts research in ultra-wideband communications systems as its sole business. XtremeSpectrum intends to become a ultra-wideband communications manufacturer once the Commission authorizes certification of such systems. XtremeSpectrum takes no position on ultra-wideband radar applications.

XtremeSpectrum cited FAA and NOAA guidelines that limit above-ground structures within specified distances of those radars.<sup>2</sup>

- ***XtremeSpectrum's proposal protects all aircraft navigation and communications systems from in-cabin passenger use of UWB.*** XtremeSpectrum supports prohibiting in-cabin use of UWB devices, but has shown that inadvertent use will have no effect on critical aircraft systems.<sup>3</sup>
- ***XtremeSpectrum's proposal protects all other spectrum users.*** XtremeSpectrum's technical proposal fully resolves all interference issues raised by GPS, PCS, E-911, public safety, and all other systems documented in the proceeding. XtremeSpectrum has recently filed separate statements documenting why UWB poses no threat to PCS, E-911, or public safety communications, respectively, and is currently in discussions with several PCS companies.
- ***The XtremeSpectrum showings of non-interference apply to peer-to-peer (and non-peer-to-peer), indoor and outdoor, at ground level and in-building, including devices on balconies and rooftops.***
- ***Prompt action is essential.*** This proceeding began in September 1998 -- forty months ago. Commission action at the February meeting is needed if the UWB industry is to go forward.

If there are questions about this submission, please call me at the number above.

Respectfully submitted,

Mitchell Lazarus  
Counsel for XtremeSpectrum, Inc.

cc: Meeting participants

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<sup>2</sup> We filed a copy of our presentation to NTIA in this docket yesterday.

<sup>3</sup> See the NTIA presentation filed yesterday.